

FEB 16 1990

Place On Calendar

HOUSE FILE 2451

BY COMMITTEE ON STATE GOVERNMENT

(SUCCESSOR TO HSB 696)

Passed House, Date 2/21/90 (p. 670) Passed Senate, Date 3/12/90 (p. 1011)

Vote: Ayes 95 Nays 2 Vote: Ayes 47 Nays 0

Approved March 27, 1990

A BILL FOR

1 An Act relating to weighing and measuring devices, and
2 establishing fees.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2451

1 Section 1. Section 214.1, subsection 2, Code 1989, is
2 amended to read as follows:

3 2. "Motor vehicle fuel pump" means a stationary pump,
4 meter, or similar measuring device used for measuring retail
5 motor vehicle fuel.

6 Sec. 2. Section 214.2, Code 1989, is amended by striking
7 the section and inserting in lieu thereof the following:

8 214.2 LICENSE.

9 A person who uses or displays for use any commercial
10 weighing and measuring device, as defined in section 215.26,
11 shall secure a license from the department.

12 Sec. 3. Section 214.3, Code 1989, is amended by striking
13 the section and inserting in lieu thereof the following:

14 214.3 FEE.

15 1. The license for inspection of a commercial weighing and
16 measuring device shall expire on December 31 of each year, and
17 for a motor vehicle fuel pump on June 30 of each year. The
18 amount of the fee due for each license shall be as provided in
19 subsection 3, except that the fee for a motor vehicle fuel
20 pump shall be three dollars if paid within one month from the
21 date the license is due.

22 2. The license inspection fee on a commercial weighing and
23 measuring device is due the day the device is placed into
24 service. A license inspection fee shall be charged to the
25 person owning or operating a commercial weighing and measuring
26 device inspected in accordance with the class or section for
27 devices as established by handbook 44 of the United States
28 national institute of standards and technology.

29 3. The fee due under this section for a commercial
30 weighing and measuring device shall be as follows:

31 a. CLASS S-IIIL.

32 (1) Railroad track scales, seventy-one dollars.

33 (2) Other scales.

34 (a) 500 to 1,000 pounds capacity, eleven dollars.

35 (b) 1,001 to 30,000 pounds capacity, twenty-one dollars.

- 1 (c) 30,001 to 50,000 pounds capacity, forty-one dollars.
2 (d) 50,001 pounds capacity or more, fifty-six dollars.
3 (3) A minimum fee of thirty-one dollars shall be charged
4 for each vehicle or livestock scale.
5 b. CLASS S-II and S-III, six dollars.
6 (1) Bench scale, six dollars.
7 (2) Counter scale, six dollars.
8 (3) Portable platform scale, six dollars.
9 (4) Livestock monorail scale, six dollars.
10 (5) Single animal scale, six dollars.
11 (6) Grain test scale, six dollars.
12 (7) Precious metal and gems scale, six dollars.
13 (8) Postal scale, six dollars.
14 c. (1) Grain moisture meters, sixteen dollars.
15 (2) Additional meters at the same location, eleven
16 dollars.
17 d. CLASS M-I. One hundred-gallon prover.
18 (1) Bulk meters, six dollars.
19 (2) Bulk liquid petroleum gas meters, thirty-five dollars.
20 (3) Bulk refined fuel meters, six dollars.
21 (4) Mass flow meters, six dollars.
22 e. CLASS M-II. Five-gallon prover.
23 (1) Slow flow meters, six dollars.
24 (2) Retail motor vehicle fuel pump, six dollars.
25 Sec. 4. Section 214.5, Code 1989, is amended to read as
26 follows:
27 214.5 INSPECTION STICKERS.
28 For each ~~scale, pump, or meter~~ commercial weighing and
29 measuring device licensed, the department shall issue an
30 inspection sticker, which shall not exceed two inches by two
31 inches in size. The inspection sticker shall be displayed
32 prominently on the front of the ~~scale, pump, or meter,~~
33 commercial weighing and measuring device and the defacing or
34 wrongful removal of the sticker shall be punished as provided
35 in chapter 189. Absence of an inspection sticker is prima

1 facie evidence that the ~~scale, pump, or meter~~ commercial
2 weighing and measuring device is being operated contrary to
3 law.

4 Sec. 5. Section 215.2, Code 1989, is amended by striking
5 the section and inserting in lieu thereof the following:

6 215.2 SPECIAL INSPECTION REQUEST.

7 The fee for special tests, including but not limited to,
8 using state inspection equipment, for the calibration,
9 testing, certification, or repair of a commercial weighing and
10 measuring device shall be paid by the servicer or person
11 requesting the special test in accordance with the following
12 schedule:

13 1. Class S, scales, fifty dollars per hour.

14 2. Class M, meters, thirty-five dollars per hour.

15 Sec. 6. Section 215.3, Code 1989, is amended to read as
16 follows:

17 215.3 PAYMENT BY PARTY COMPLAINING.

18 ~~When such~~ If an inspection ~~shall be~~ is made upon the
19 complaint of ~~any a~~ person other than the owner of the ~~scale~~
20 commercial weighing and measuring device, and upon examination
21 the ~~scale~~ commercial weighing and measuring device is found by
22 the department to be accurate for commercial weighing and
23 measuring, the inspection fee for such inspection shall be
24 paid by the person making the complaint.

25 Sec. 7. Section 215.4, Code 1989, is amended by striking
26 the section and inserting in lieu thereof the following:

27 215.4 LIMITATION ON INSPECTIONS.

28 A commercial weighing and measuring device found to be
29 inaccurate upon inspection by the department shall be tagged
30 "condemned until repaired" and the "licensed for commercial
31 use" inspection sticker shall be removed. If notice is
32 received by the department that the device has been repaired
33 and upon reinspection the device is found to be accurate, the
34 license fee shall not be charged for the reinspection.
35 However, a second license fee shall be charged if upon

1 reinspection the device is found to be inaccurate.

2 Sec. 8. Section 215.18, Code 1989, is amended by striking
3 the section and inserting in lieu thereof the following:

4 215.18 SPECIFICATIONS AND TOLERANCES.

5 The specifications, tolerances, and other technical
6 requirements for commercial, law enforcement, data gathering,
7 and other weighing and measuring devices, as adopted by the
8 national conference on weights and measures and published in
9 the national institute of standards and technology handbook
10 44, specifications, tolerances, and other technical
11 requirements for weighing and measuring devices, shall apply
12 to weighing and measuring devices in this state, except
13 insofar as modified or rejected by rule and shall be observed
14 in all inspections and tests.

15 Sec. 9. Section 215.20, Code 1989, is amended by striking
16 the section and inserting in lieu thereof the following:

17 215.20 LIQUID PETROLEUM GAS MEASUREMENT.

18 1. All liquefied petroleum gas, including but not limited
19 to propane, butane, and mixtures of them, shall be kept,
20 offered, exposed for sale, or sold by the pound, metered cubic
21 foot of vapor, defined as one cubic foot at sixty degrees
22 Fahrenheit, or by the gallon, defined as two hundred thirty-
23 one cubic inches at sixty degrees Fahrenheit.

24 2. All metered sales exceeding one hundred gallons shall
25 be corrected to a temperature of sixty degrees Fahrenheit
26 through use of an approved meter with a sealed automatic
27 compensation mechanism. All sale tickets for sales exceeding
28 one hundred gallons shall show the stamped delivered gallons
29 and shall state that the temperature correction was
30 automatically made.

31 3. A reasonable tolerance within a maximum of plus or
32 minus one percent shall be allowed on liquid petroleum gas
33 meters licensed for commercial use in this state.

34 Sec. 10. Section 215.26, subsection 1, Code 1989, is
35 amended to read as follows:

1 1. "Commercial weighing and measuring device" means a
2 weight or measure or weighing or measuring device used to
3 establish size, quantity, area or other quantitative
4 measurement of a commodity sold by weight or measurement, or
5 where the price to be paid for producing the commodity is
6 based upon the weight or measurement of the commodity. The
7 term includes an accessory attached to or used in connection
8 with a commercial weighing or measuring device when the
9 accessory is so designed or installed that its operation may
10 affect the accuracy of the device. Commercial weighing and
11 measuring device includes a public scale as defined under
12 section 214.1.

13 Sec. 11. Section 215.26, Code 1989, is amended by adding
14 the following new subsection:

15 NEW SUBSECTION. 5. "Liquefied petroleum gas" means
16 liquids that do not remain in a liquid state at atmospheric
17 pressures and temperatures composed predominantly of any of
18 the following hydrocarbons, or mixtures of hydrocarbons:
19 propane, propylene, butanes including normal butane or
20 isobutane, and butylenes.

21 Sec. 12. Section 215A.9, unnumbered paragraph 1, Code
22 1989, is amended to read as follows:

23 The department shall charge, assess, and cause to be
24 collected at the time of inspection an inspection fee of ~~ten~~
25 ~~dollars-for-the-first-moisture-measuring-device-required-to-be~~
26 ~~inspected-under-this-chapter,-and-for-each-additional~~
27 ~~moisture-measuring-device-inspected-at-the-same-time-the-fee~~
28 ~~shall-be-five-dollars~~ in accordance with the fee schedule
29 established pursuant to section 214.3, subsection 3.

30 EXPLANATION

31 This bill changes the language in Code chapters 214, 215,
32 and 215A from pump meter or scale to commercial weighing and
33 measuring devices, as defined in section 215.26.

34 This bill updates adoption of the United States national
35 institute of standards and technology, formerly the national

1 bureau of standards, handbook 44, specifications, tolerances,
2 and other technical requirements for weighing and measuring
3 devices.

4 This bill groups all commercial weighing and measuring
5 devices now currently inspected and licensed by the department
6 into classes according to the United States national institute
7 of standards and technology handbook 44. The bill combines
8 the yearly inspection and license fees in chapters 214, 215,
9 and 215A that are currently being paid by the owners of the
10 devices into one annual fee payable on December 31.

11 This bill defines liquid petroleum gas, and decreases the
12 tolerance for liquid petroleum gas meters from the present two
13 percent to one percent.

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HOUSE FILE 2451
FISCAL NOTE

A fiscal note for House File 2451 is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note is available from the Legislative Fiscal Bureau to members of the Legislature upon request.

House File 2451 updates adoption of the United States National Institute of Standards and Technology specifications, tolerances, and other technical requirements for weighing and measuring devices.

It also combines the yearly inspection and license fees found in Chapters 214, 215, and 215A currently paid by the owners of weighing and measuring devices into one annual fee payable on December 31 of each year.

Fiscal Effect:

This bill will not change the amount of revenue being received from these fees. It will change the timing of these receipts, as fees are currently paid throughout the year, and this will make the payments due once a year on December 31.

Source: Department of Agriculture and Land Stewardship (LSB 8028hv, AAW)

FILED FEBRUARY 23, 1990

BY DENNIS PROUTY, FISCAL DIRECTOR

NSB 696

STATE GOVERNMENT

now

HOUSE FILE 2451

BY (PROPOSED COMMITTEE ON

STATE GOVERNMENT BILL

BY CHAIRPERSON BLANSHAN)

Passed House, Date _____ Passed Senate, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to weighing and measuring devices, and
2 establishing fees.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 214.1, subsection 2, Code 1989, is
2 amended to read as follows:

3 2. "Motor vehicle fuel pump" means a stationary pump,
4 meter, or similar measuring device used for measuring retail
5 motor vehicle fuel.

6 Sec. 2. Section 214.2, Code 1989, is amended by striking
7 the section and inserting in lieu thereof the following:

8 214.2 LICENSE.

9 A person who uses or displays for use any commercial
10 weighing and measuring device, as defined in section 215.26,
11 shall secure a license from the department.

12 Sec. 3. Section 214.3, Code 1989, is amended by striking
13 the section and inserting in lieu thereof the following:

14 214.3 FEE.

15 1. The license for inspection of a commercial weighing and
16 measuring device shall expire on December 31 of each year, and
17 for a motor vehicle fuel pump on June 30 of each year. The
18 amount of the fee due for each license shall be as provided in
19 subsection 3, except that the fee for a motor vehicle fuel
20 pump shall be three dollars if paid within one month from the
21 date the license is due.

22 2. The license inspection fee on a commercial weighing and
23 measuring device is due the day of the device is placed into
24 service. A license inspection fee shall be charged to the
25 person owning or operating a commercial weighing and measuring
26 device inspected in accordance with the class or section for
27 devices as established by handbook 44 of the United States
28 national institute of standards and technology.

29 3. The fee due under this section for a commercial
30 weighing and measuring device shall be as follows:

31 a. CLASS S-IIIL.

32 (1) Railroad track scales, seventy-one dollars.

33 (2) Other scales.

34 (a) 500 to 1,000 pounds capacity, eleven dollars.

35 (b) 1,001 to 30,000 pounds capacity, twenty-one dollars.

- 1 (c) 30,001 to 50,000 pounds capacity, forty-one dollars.
- 2 (d) 50,001 pounds capacity or more, fifty-six dollars.
- 3 (3) A minimum fee of thirty-one dollars shall be charged
- 4 for each vehicle or livestock scale.
- 5 b. CLASS S-II and S-III, six dollars.
- 6 (1) Bench scale, six dollars.
- 7 (2) Counter scale, six dollars.
- 8 (3) Portable platform scale, six dollars.
- 9 (4) Livestock monorail scale, six dollars.
- 10 (5) Single animal scale, six dollars.
- 11 (6) Grain test scale, six dollars.
- 12 (7) Precious metal and gems scale, six dollars.
- 13 (8) Postal scale, six dollars.
- 14 c. (1) Grain moisture meters, sixteen dollars.
- 15 (2) Additional meters at the same location, eleven
- 16 dollars.
- 17 d. CLASS M-I. One hundred-gallon prover.
- 18 (1) Bulk meters, six dollars.
- 19 (2) Bulk liquid petroleum gas meters, thirty-five dollars.
- 20 (3) Bulk refined fuel meters, six dollars.
- 21 (4) Mass flow meters, six dollars.
- 22 e. CLASS M-II. Five-gallon prover.
- 23 (1) Slow flow meters, six dollars.
- 24 (2) Retail motor vehicle fuel pump, six dollars.

25 Sec. 4. Section 214.5, Code 1989, is amended to read as
26 follows:

27 214.5 INSPECTION STICKERS.

28 For each scale, pump, or meter commercial weighing and
29 measuring device licensed, the department shall issue an
30 inspection sticker, which shall not exceed two inches by two
31 inches in size. The inspection sticker shall be displayed
32 prominently on the front of the scale, pump, or meter,
33 commercial weighing and measuring device and the defacing or
34 wrongful removal of the sticker shall be punished as provided
35 in chapter 189. Absence of an inspection sticker is prima

1 facie evidence that the ~~scale~~7-pump7-or-meter commercial
2 weighing and measuring device is being operated contrary to
3 law.

4 Sec. 5. Section 215.2, Code 1989, is amended by striking
5 the section and inserting in lieu thereof the following:

6 215.2 SPECIAL INSPECTION REQUEST.

7 The fee for special tests, including but not limited to,
8 using state inspection equipment, for the calibration,
9 testing, certification, or repair of a commercial weighing and
10 measuring device shall be paid by the servicer or person
11 requesting the special test in accordance with the following
12 schedule:

13 1. Class S, scales, fifty dollars per hour.

14 2. Class M, meters, thirty-five dollars per hour.

15 Sec. 6. Section 215.3, Code 1989, is amended to read as
16 follows:

17 215.3 PAYMENT BY PARTY COMPLAINING.

18 ~~When such~~ If an inspection ~~shall be~~ is made upon the
19 complaint of ~~any~~ a person other than the owner of the ~~scale~~
20 commercial weighing and measuring device, and upon examination
21 the ~~scale~~ commercial weighing and measuring device is found by
22 the department to be accurate for commercial weighing and
23 measuring, the inspection fee for such inspection shall be
24 paid by the person making the complaint.

25 Sec. 7. Section 215.4, Code 1989, is amended by striking
26 the section and inserting in lieu thereof the following:

27 215.4 LIMITATION ON INSPECTIONS.

28 A commercial weighing and measuring device found to be
29 inaccurate upon inspection by the department shall be tagged
30 "condemned until repaired" and the "licensed for commercial
31 use" inspection sticker shall be removed. If notice is
32 received by the department that the device has been repaired
33 and upon reinspection the device is found to be accurate, the
34 license fee shall not be charged for the reinspection.
35 However, a second license fee shall be charged if upon

1 reinspection the device is found to be inaccurate.

2 Sec. 8. Section 215.18, Code 1989, is amended by striking
3 the section and inserting in lieu thereof the following:

4 215.18 SPECIFICATIONS AND TOLERANCES.

5 The specifications, tolerances, and other technical
6 requirements for commercial, law enforcement, data gathering,
7 and other weighing and measuring devices, as adopted by the
8 national conference on weights and measures and published in
9 the national institute of standards and technology handbook
10 44, specifications, tolerances, and other technical
11 requirements for weighing and measuring devices, shall apply
12 to weighing and measuring devices in this state, except
13 insofar as modified or rejected by rule and shall be observed
14 in all inspections and tests.

15 Sec. 9. Section 215.20, Code 1989, is amended by striking
16 the section and inserting in lieu thereof the following:

17 215.20 LIQUID PETROLEUM GAS MEASUREMENT.

18 1. All liquefied petroleum gas, including but not limited
19 to propane, butane, and mixtures of them, shall be kept,
20 offered, exposed for sale, or sold by the pound, metered cubic
21 foot of vapor, defined as one cubic foot at sixty degrees
22 Fahrenheit, or by the gallon, defined as two hundred thirty-
23 one cubic inches at sixty degrees Fahrenheit.

24 2. All metered sales exceeding one hundred gallons shall
25 be corrected to a temperature of sixty degrees Fahrenheit
26 through use of an approved meter with a sealed automatic
27 compensation mechanism. All sale tickets for sales exceeding
28 one hundred gallons shall show the stamped delivered gallons
29 and shall state that the temperature correction was
30 automatically made.

31 3. A reasonable tolerance within a maximum of plus or
32 minus one percent shall be allowed on liquid petroleum gas
33 meters licensed for commercial use in this state.

34 Sec. 10. Section 215.26, subsection 1, Code 1989, is
35 amended to read as follows:

HOUSE FILE 2451

AN ACT

RELATING TO WEIGHING AND MEASURING DEVICES, AND ESTABLISHING FEES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 214.1, subsection 2, Code 1989, is amended to read as follows:

2. "Motor vehicle fuel pump" means a stationary pump, meter, or similar measuring device used for measuring retail motor vehicle fuel.

Sec. 2. Section 214.2, Code 1989, is amended by striking the section and inserting in lieu thereof the following:

214.2 LICENSE.

A person who uses or displays for use any commercial weighing and measuring device, as defined in section 215.26, shall secure a license from the department.

Sec. 3. Section 214.3, Code 1989, is amended by striking the section and inserting in lieu thereof the following:

214.3 FEE.

1. The license for inspection of a commercial weighing and measuring device shall expire on December 31 of each year, and for a motor vehicle fuel pump on June 30 of each year. The amount of the fee due for each license shall be as provided in subsection 3, except that the fee for a motor vehicle fuel pump shall be three dollars if paid within one month from the date the license is due.

2. The license inspection fee on a commercial weighing and measuring device is due the day the device is placed into service. A license inspection fee shall be charged to the person owning or operating a commercial weighing and measuring device inspected in accordance with the class or section for devices as established by handbook 44 of the United States

national institute of standards and technology.

3. The fee due under this section for a commercial weighing and measuring device shall be as follows:

a. CLASS S-IIIIL.

(1) Railroad track scales, seventy-one dollars.

(2) Other scales.

(a) 500 to 1,000 pounds capacity, eleven dollars.

(b) 1,001 to 30,000 pounds capacity, twenty-one dollars.

(c) 30,001 to 50,000 pounds capacity, forty-one dollars.

(d) 50,001 pounds capacity or more, fifty-six dollars.

(3) A minimum fee of thirty-one dollars shall be charged for each vehicle or livestock scale.

b. CLASS S-II and S-III, six dollars.

(1) Bench scale, six dollars.

(2) Counter scale, six dollars.

(3) Portable platform scale, six dollars.

(4) Livestock monorail scale, six dollars.

(5) Single animal scale, six dollars.

(6) Grain test scale, six dollars.

(7) Precious metal and gems scale, six dollars.

(8) Postal scale, six dollars.

c. (1) Grain moisture meters, sixteen dollars.

(2) Additional meters at the same location, eleven dollars.

d. CLASS M-I. One hundred-gallon prover.

(1) Bulk meters, six dollars.

(2) Bulk liquid petroleum gas meters, thirty-five dollars.

(3) Bulk refined fuel meters, six dollars.

(4) Mass flow meters, six dollars.

e. CLASS M-II. Five-gallon prover.

(1) Slow flow meters, six dollars.

(2) Retail motor vehicle fuel pump, six dollars.

Sec. 4. Section 214.5, Code 1989, is amended to read as follows:

214.5 INSPECTION STICKERS.

For each ~~scale, pump, or meter~~ commercial weighing and measuring device licensed, the department shall issue an inspection sticker, which shall not exceed two inches by two inches in size. The inspection sticker shall be displayed prominently on the front of the ~~scale, pump, or meter,~~ commercial weighing and measuring device and the defacing or wrongful removal of the sticker shall be punished as provided in chapter 189. Absence of an inspection sticker is prima facie evidence that the ~~scale, pump, or meter~~ commercial weighing and measuring device is being operated contrary to law.

Sec. 5. Section 215.2, Code 1989, is amended by striking the section and inserting in lieu thereof the following:

215.2 SPECIAL INSPECTION REQUEST.

The fee for special tests, including but not limited to, using state inspection equipment, for the calibration, testing, certification, or repair of a commercial weighing and measuring device shall be paid by the servicer or person requesting the special test in accordance with the following schedule:

1. Class S, scales, fifty dollars per hour.
2. Class M, meters, thirty-five dollars per hour.

Sec. 6. Section 215.3, Code 1989, is amended to read as follows:

215.3 PAYMENT BY PARTY COMPLAINING.

When such if an inspection shall be is made upon the complaint of any a person other than the owner of the scale commercial weighing and measuring device, and upon examination the scale commercial weighing and measuring device is found by the department to be accurate for commercial weighing and measuring, the inspection fee for such inspection shall be paid by the person making the complaint.

Sec. 7. Section 215.4, Code 1989, is amended by striking the section and inserting in lieu thereof the following:

215.4 LIMITATION ON INSPECTIONS.

A commercial weighing and measuring device found to be inaccurate upon inspection by the department shall be tagged "condemned until repaired" and the "licensed for commercial use" inspection sticker shall be removed. If notice is received by the department that the device has been repaired and upon reinspection the device is found to be accurate, the license fee shall not be charged for the reinspection. However, a second license fee shall be charged if upon reinspection the device is found to be inaccurate.

Sec. 8. Section 215.18, Code 1989, is amended by striking the section and inserting in lieu thereof the following:

215.18 SPECIFICATIONS AND TOLERANCES.

The specifications, tolerances, and other technical requirements for commercial, law enforcement, data gathering, and other weighing and measuring devices, as adopted by the national conference on weights and measures and published in the national institute of standards and technology handbook 44, specifications, tolerances, and other technical requirements for weighing and measuring devices, shall apply to weighing and measuring devices in this state, except insofar as modified or rejected by rule and shall be observed in all inspections and tests.

Sec. 9. Section 215.20, Code 1989, is amended by striking the section and inserting in lieu thereof the following:

215.20 LIQUID PETROLEUM GAS MEASUREMENT.

1. All liquefied petroleum gas, including but not limited to propane, butane, and mixtures of them, shall be kept, offered, exposed for sale, or sold by the pound, metered cubic foot of vapor, defined as one cubic foot at sixty degrees Fahrenheit, or by the gallon, defined as two hundred thirty-one cubic inches at sixty degrees Fahrenheit.

2. All metered sales exceeding one hundred gallons shall be corrected to a temperature of sixty degrees Fahrenheit through use of an approved meter with a sealed automatic

compensation mechanism. All sale tickets for sales exceeding one hundred gallons shall show the stamped delivered gallons and shall state that the temperature correction was automatically made.

3. A reasonable tolerance within a maximum of plus or minus one percent shall be allowed on liquid petroleum gas meters licensed for commercial use in this state.

Sec. 10. Section 215.26, subsection 1, Code 1989, is amended to read as follows:

1. "Commercial weighing and measuring device" means a weight or measure or weighing or measuring device used to establish size, quantity, area or other quantitative measurement of a commodity sold by weight or measurement, or where the price to be paid for producing the commodity is based upon the weight or measurement of the commodity. The term includes an accessory attached to or used in connection with a commercial weighing or measuring device when the accessory is so designed or installed that its operation may affect the accuracy of the device. Commercial weighing and measuring device includes a public scale as defined under section 214.1.

Sec. 11. Section 215.26, Code 1989, is amended by adding the following new subsection:

NEW SUBSECTION. 5. "Liquefied petroleum gas" means liquids that do not remain in a liquid state at atmospheric pressures and temperatures composed predominantly of any of the following hydrocarbons, or mixtures of hydrocarbons: propane, propylene, butanes including normal butane or isobutane, and butylenes.

Sec. 12. Section 215A.9, unnumbered paragraph 1, Code 1989, is amended to read as follows:

The department shall charge, assess, and cause to be collected at the time of inspection an inspection fee of ~~ten dollars for the first moisture-measuring device required to be inspected under this chapter and for each additional~~

~~moisture-measuring device inspected at the same time the fee shall be five dollars in accordance with the fee schedule established pursuant to section 214.3, subsection 3.~~

DONALD D. AVENSON
Speaker of the House

JO ANN ZIMMERMAN
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2451, Seventy-third General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved May 27, 1990

TERRY E. BRANSTAD
Governor